

THE REMARKS

Claims 1-51 were pending prior to entering the amendments.

The Amendments

The title of the application has been amended to reflect the claimed invention.

Figure 3B is amended to correct the typographic error.

The amendment of Claim 1 is supported by Claim 26.

New Claims 52, 53, 54, 55, and 56 are supported by Claim 11, 14, 38, 38, and 33, respectively.

No new matter is added in any of the above amendments. The Examiner is requested to enter the amendments and re-consider the application.

Objection to the Specification

The tile has been amended to indicate Claim 1.

Objection to the Claims

Claims 2, 4, and 5 are cancelled.

Claim 26 has been amended to recite SEQ ID number

Claim 35 has been amended to "comprised in."

Therefore, the objection to the claims should be withdrawn.

35 U.S.C. § 112, Second Paragraph, Rejections

Claims 1-5, 9-26, and 33-38 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejections are overcome in view of the claim amendments.

Claims 1, 16, 17, 23, and 44 are rejected as allegedly being indefinite because it is unclear what is meant by an overlap between the amino acid sequences. The "overlap" phrase has been deleted.

Claim 33 is rejected as allegedly being indefinite for reciting the phrase, "or a precursor

thereof". "A precursor thereof" has been deleted.

Claims 9 and 15 are rejected as allegedly being indefinite for reciting the term, "derived from". "Derived from" has been amended to "obtained from."

Claim 44 is rejected under 35 U.S.C. § 112, second paragraph, as allegedly being incomplete for omitting essential steps, such omission amounting to a gap between the steps. Claim 44 has been cancelled.

Therefore, the 112, second paragraph rejections should be withdrawn.

35 U.S.C. § 112, First Paragraph, Rejection

Claims 1-5, 9-26, 33-38, and 40-44 are rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for a fusion protein comprising the amino acid sequence SEQ ID NO:15 and a nucleic acid molecule encoding the same, as well as compositions comprising the fusion protein or nucleic acid molecule and a pharmaceutically acceptable carrier, does not allegedly provide enablement for the entire claimed scope.

Applicants do not agree with the rejection. However, to accelerate the allowance of this application, Applicants have amended Claim 1 to recite that the fusion protein comprises the amino acid sequence of SEQ ID NO: 18 (Figure 3B) and amended Claim 26 to recite that the fusion protein comprises the amino acid sequence of SEQ ID NO: 15 (Figure 3A).

As the Examiner has acknowledged that the claims directed to SEQ ID NO: 15 are enabling. The Application has shown a preferred fusion protein of SEQ ID NO: 18 (see Figure 3B). Following the teaching of Example 1 (cloning, expression, and isolation), a person skilled in the art would know how to make and use a fusion protein comprising the amino acid sequence of SEQ ID NO:18 without undue experimentation.

Claim 36 is amended to recite an isolated cell.

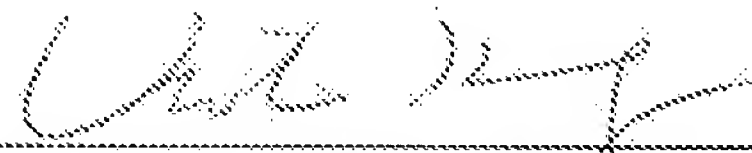
Therefore, the 112, first paragraph rejections of the pending claims should be withdrawn.

CONCLUSION

Applicants believe that the application is now in good and proper condition for allowance. Early notification of allowance is earnestly solicited.

Respectfully submitted,

Date: March 7, 2011



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